

9/16

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON CALENDAR - SEPTEMBER 18, 2002

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦ Resume: _____ Stop: _____ ♦ Trials: _____ Proceedings _____)

Attys:

Debtors:

Case Nos.:

Trustees:

9:30 A. M. - PRE-TRIAL CONFERENCES

Copeland COVER GIRL SEEDING INC-ch7 7-00-01332 Callahan
A/P 7-02-00046: Recover preferential transfers; contd fr 7/3 & 8/7
Wm. E. Callahan Jr. (Scott) v. Wells Fargo Bank() LM
–Order of 9/16 contd pre-trial conf to 11/13 @ 9:30 a.m.

10:00 A.M. - MISCELLANEOUS HEARINGS

Carroll LARRY, SR., & WANDA BROWN - Ch. 7 7-02-02606 Callahan/JJ
Motion # 1: Avoid Lien [d/e # 10]
Debtors v. CitiFinancial Services ()
–Order of 9/5 voiding lien, hearing cancelled

Montgomery ROBERT ANDERSON-ch7 7-01-00030 Wick/MC
J. Motion of Trustee to Reinstate Motion #1 and Permit sale of property free
and clear of liens filed 8/15; d/e # 51 (Mot #1 d/e # 44, filed 4/1)

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Carmody JOHN POORE-ch7 7-02-02003 Callahan/MC
Motion #1: Avoid lien - filed 8/16; d/e # 12, 13
Debtor v. Providian National Bank
–Order (default) of 9/9 avoided lien, cancels hearing

Gifford SHARRYL JENNELL-SUTHERLAND-ch7 7-02-00739 Wick/PR
Objections, if any filed, to Notice of Trustee of Intent to sell property filed 8/19;
d/e # 32, 33

10:00 A.M. - MISCELLANEOUS HEARINGS

Copeland	DONALD & VICKIE TIGNOR-ch7	7-02-02990	Callahan/LM
	Motion #1: Relief - filed 8/19; d/e # 10, 11		
	JPMorgan Chase Bank (Maxwell) v. debtors & trustee		
	–ORDER granting relief entered 9/13; d/e # 14		
Farthing	CHARLES & JANET HILDERBRAND-ch7	7-02-02445	Callahan/SL
	Motion #1: Relief - filed 8/21, d/e # 11, 12		
	Wells Fargo Financial Services (Huebschmann) v. debtors & trustee		
	<i>–note: Amended Motion filed 9/11 to amend name of Movant to BB&T</i>		
	ORDER OF RECUSAL entered 9/5 (set on 10/10 @ 3:00)		
Copeland	ROBBIE & SANDRA TILLER-ch7	7-02-02428	Callahan/AF
	Motion #1: Relief - filed 8/23; d/e # 11, 12		
	SLM Financial Corp (Hutton) v. debtors & trustee		
	–ORDER of 9/6 granted relief – cancels hearing		
Copeland	FIDDLE COAL CO-ch7	7-97-04344	Wick/SO
	Motion of Trustee for fees of \$3200.15 and expense of \$303.06, filed 8/22; d/e # 65, 66		
Snodgrass	ROBERT & KAREN BEAVER-ch7	7-02-02962	Callahan/SJ
	Motion #1: relief - filed 8/22; d/e # 10, 11		
	WFS Financial Inc (Epps) v. debtors & trustee		
	Order granting relief from stay 9/10 [d/e # 14]		

10:00 A.M. - MISCELLANEOUS HEARINGS

Copeland WOOD WORLD INC-ch7 7-97-01796 McDow/Garber
Objection filed 8/20, d/e # 119, of Donald and Delphia Jensen, Robert T. Copeland and Copeland & Bieger PC to Trustee's Final Report filed

Motion of Donald and Delphia Jensen and Robert To Copeland and firm of Copeland & Bieger PC for payment of administrative expense (attorney fees pursuant to §503(b)(3) Filed 8/20; d/e # 118
Objection filed by Trustee and U. S. Trustee [d/e # 121]

Lamie DEWEY GORE-ch7 7-01-01408 Wick/AF
Motion of Trustee to sell property free & Clear of liens; Tr v. Debtor & Financial Pacific Leasing LLC (*order tendered*) filed 8/23, d/e # 91

Motion of Trustee for Authority to Accept offer for sale of Personal Property and to sell Real Property Free & Clear of Liens, (*order tendered*) filed 8/23, d/e # 92

Notice of Trustee's Intent to sell property with objections, if any, due 5 days prior to hearing filed 8/23; d/e # 93

Carmody ROWLAND & DEBBIE FIELDS-ch7 7-02-03232 Wick/SJ
Motion #1: Relief - filed 8/22; d/e # 10, 11
Citifinancial Mortgage Co (Jaffe) v. debtors & trustee

Copeland KATHY WILLIAMS-ch7 7-02-02633 Wick/PR
Motion #1: Relief - filed 8/22; d/e # 16, 17
Greenpoint Credit LLC serv.agt for First Natl Bk of Chicago(Laura Hale) v. debtor & Trustee

J Jessee MARY & TERRY EADS-ch7 7-02-03055 Callahan/SL
Motion #2: Relief - filed 8/29; d/e # 19, 21
First Tn Bank NA (Higgs) v. debtors & trustee
AGREED ORDER entered 9/12 [d/e # 26]

10:00 A.M. - MISCELLANEOUS HEARINGS

Farthing	ROBERT & CLARA BRUNK-ch7	7-02-00715	Callahan/SL
	Motion to Reopen Case filed by Trustee for purpose of administering assets, filed 8/28; D/e # 16 , and Motion to defer filing fees d/e # 17 –ORDER already entered on 9/6 granting motion to reopen		
Arey	DAVID & SARAH GIBSON-ch7	7-02-02384	Wick/AF
	Motion #2: Relief - filed 8/30; d/e # 15, 16 Va. Housing Development Authority & Suntrust Mortgage (Barry) v. debtors & trustee <i>Agreed Order to be tendered by Barry</i>		
Farthing	CHRISTOPHER & JAMIE McHONE - Ch. 7	7-02-02838	Wick/AF
	Motion # 1: Relief filed 8/6 [d/e # 11]; <i>contd from 9/4</i> [d/e # 21] DaimlerChrysler Services North America (Higgs) v. Debtors & Trustee RESPONSE filed by Debtors [d/e # 14] AGREED ORDER entered 9/12 [d/e # 18]		
Farthing	SHIRLEY HAMM-ch7	7-02-02957	Callahan/NS
	Motion #1: Relief - filed 8/12, d/e # 14, 15 & 18 ; <i>contd from 9/4</i> Bank of Tazewell Co. (Harman) v. debtor & trustee RESPONSE filed by Trustee [d/e # 17]		

11:00 A. M. - MISCELLANEOUS HEARINGS

Carmody	JERRY & ELSIE JACKSON-ch13	7-97-00851	Widener/VS
	Motion of Debtors to Showcause for Contempt: Violation of Stay: Commonwealth of Va. Dept of Taxation - filed 3/14, d/e # 135; contd from 4/10 for ntc to counsel for Va.Dept of Taxation (Becky Miner) contd from 6/5 & 7/23 & 8/21 (<i>status telep.hrg</i> <i>held on 9/16</i>) –AGREED order <u>to be tended (Miner)</u> to resolve motion		

Abingdon Calendar - 9/18/02

11:00 A.M. - MISCELLANEOUS HEARINGS

Copeland G AND A COAL CO INC-ch7 7-99-02321 Callahan/VS
Trustee motion to Sell Vehicle and for Allowance of Commission, filed 8/22; d/e #254

McAfee ROBERT RUSSELL RASH-chll 7-02-01215 DIP/MC
Status hearing - new ch 11 case; contd from 7/23 hrg (neither dbtr nor atty apprd.);
#40,41
–CASE DISMISSED (on Motion of Grundy National Bank heard on 9/4)

Copeland JAMES & MARGARET WILLIAMS-chll 7-02-00939 DIP/PR
Showcause, IF fails to comply w/UST ord. Re: 7/3 status hearing [d/e # 50, 54]

(note: d/s & plan filed 9/4; d/s set 10/30 @ 11)

Copeland T & M TRANSPORT INC-chll 7-02-00938 DIP/AF
Showcause, IF fails to comply w/UST ord. to file Discl. & Plan by 9/2
–D/S & PLAN FILED 9/3; D/S SET 10/30 @ 11

Motion #1: Relief - filed 8/20; d/e # 29, 33
Citicapital Commercial Corp (Huebschman) v. debtor

Motion #1: Relief - filed 8/20 ; d/e # 29, 30, 31, 32, 33
Citicapital Commercial Corp (Huebschman) v. debtor
Response of Debtor filed with Cross Motion for Valuation, Interrogatories & Motion for
Production of Documents w/in 3 days prior to final hearing on Mot; filed 8/29, d/e # 34

Copeland CHILDRESS CHIROPRACTIC CLINIC PC-chll 7-02-02787 DIP/NS
Adequacy of Discl. Stmt., d/e # 9; 11, filed 7/3
–status hearing scheduled 11/13 @ 11:00
–CASE CONVERTED TO CH 7 ON 9/6

Abingdon Calendar - 9/18/02

11:00 A.M. - MISCELLANEOUS HEARINGS

Copeland BOBBY VENCILL TRUCKING-chll 7-01-03813 DIP/MC-PR
Confirmation of Ch 11 Plan
Objection: U. S. Trustee (Garber) [d/e # 103]
–*CONTD from 8/7 for UST review of delinquent reports when filed prior to cross-examination of witnesses from 9/7 hearing.*

Mot of U. S. Trustee to showcause IF debtor fails to pay fees/file reports in 30 days from 8/7 hearing on Mot to Compel , d/e # 104, (Garber)

Motion of Debtor (Copeland) for Rehearing of Order of 8/28 Terminating Stay in Motion #1: Associates Commercial : (Fleischhauer) filed 9/4; d/e # 113

Kendrick STEPHEN & CHRISTIE CHILDRESS-ch7 7-02-02729 Wick/SJ
Motion for Bifurcation for dismissal of female petitioner (no fee due therefor)
Filed 8/29; d/e # 12, 13, Notice filed 9/6; d/e # 14

1:00 P.M. - CONFIRMATION HEARINGS

Carmody HASSEL & GAYLENE JUSTUS 7-01-04945 Widener/SL
Mod Plan filed 7/23 (endorsed copy recd 7/26) , d/e # 42, 43

Objection: Highlands Union Bank (Hutton) [d/e # 33]
The First Bank and Trust Co. (Hutton) [d/e # 32]
Trustee Show Cause on Dismissal/Conversion [d/e # 21] *contd fr 7/3 to hear w/mod plan*
Trustee OBJECTION; showcause: dismiss/convert, filed 8/14; d/e # 34
Trustee Report, OBJECTION and showcause: Dismiss/convert, filed 8/30; d/e # 47

Carmody CLIFFORD & MONIKA WILLIAMS-chl3 7-02-01751 Widener/VS
Plan previously set on 8/7; contd fr bench 7/23 to hear 9/18 ; otbt thereon
Trustee's report, Objection and showcause; dismiss or convert - filed 6/20;d /e # 15
–*contd fr bench 7/23; Ord. cont. entered 8/14 [d/e # 20]*

Abingdon Calendar - 9/18/02

1:00 P.M. - CHAPTER 13 CONFIRMATIONS

Via WALLACE & LINDA WILLIAMS=ch13 7-02-01363 Widener/PR
Mod Plan filed 7/10, d/e # 23, 24, contd from 8/21
Trustee Report, Objection and Showcause: Dismiss/convert, d/e # 30, contd from 8/21

Largen MARC & KRISTIE HAGA 7-02-01629 Widener/SJ
Plan filed 4/17; d/e # 4 contd fr 7/3 & 8/7 to hear w/val. Mot being set

Copeland PHILLIP & MARY KNUPP 7-01-03412 Widener/SJ
Mod Plan filed 6/25 d/e # 59, 60 , 61; *contd from 8/7*, d/e #68 & 69
Objection: Trustee's Report w/Show Cause on Dismissal or Conversion [d/e # 62]
(Amended Report w/correct hearing date filed 8/2) [d/e # 63]

Motion of Debtors for approval of sale of house to Mr. Donald Edward Knupp
filed 8/15, d/e # 67

Objection: Trustee [d/e # 73]

Note: Objs to claims are set 10/15 @ 1:30

Gifford LISA ROSENBALM-ch13 7-02-02004 Widener/SO
Plan filed 5/9, d/e # 6; contd from 8/7 to mod plan
Objection filed by GCB Acceptance Corp. (Hutton) [d/e # 18]

Obj to Claim filed by debtor, to #3: Chase Manhattan Mortgage ; filed 6/24, d/e # 16
OBJECTION filed by Chase Manhattan Mortgage Corp. to Debtor's Objection to its
Proof of Claim (Clarke) [d/e # 19]

Abingdon Calendar - 9/18/02

1:00 P.M. - CHAPTER 13 CONFIRMATIONS

Gifford TAMMY WANN-chl3 7-02-02892 Widener/SJ
Mod Plan filed 7/31, d/e # 5, 6 & 7 (in bifurcated case)
Trustee Report, OBJECTION & Showcause Motion : Dismiss/Convert filed 8/30;[#8]

Lamie	EARNEST BOLEN-chl3	7-02-00304	Widener/SO
	Mod Plan #1 filed 5/28; d/e # 37, 38; contd from 7/23 w/conditions		
	Trustee Showcause on Dismissal filed 4/25; d/e # 31 contd from 6/5		

Largen	RAYMOND & FRIEDA HOWARD - Ch. 13 Mod. Plan filed 7/22 [d/e # 20, 21]	7-02-01311	Widener/VS
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Gifford ROBERT & MARY BREWER - Ch. 13 7-02-02462 Widener/SJ
Amended Plan filed 8/19 and trustee showcase now set on 10/1 @ 1:00

Objection to Claim # 1 of Nuvel Credit in the amount of \$5,692.50 (debt was discharged under Debtors' previous bankruptcy case #7-98-04607 [d/e # 21])

Abingdon Calendar - 9/18/02

1:30 P. M. - MISCELLANEOUS HEARINGS

Timoney	JAMES & ROBIN EASTRIDGE-Ch13	7-01-03602	Widener/SJ
	Motion #2: Relief - filed 5/23; d/e # 37; 38, 39, 41		7/3
	First Union National Bank (C Patterson/F. Harman) v. Debtors & trustee		
	<i>—response filed 6/4, d/e # 42 contd fr 7/3 & 8/7 to reconcile pmt records</i>		

Timoney	LARRY, JR., & AUDERY RIGGINS - Ch. 13	7-99-01718	Widener/AF
	Objection to Notice of Default in Motion # 1: GreenPoint Credit (Black/Hale) v. Debtors [d/e # 55]		

Lamie	DOUGLAS & PRISCILLA BLANKENSHIP-chl3	7-99-00574	Widener/PR
	Motion to Reinstitute Automatic Stay filed by Debtors v. Chase Manhattan Mortgage Corp (Bliley); Re: Relief Motion #5, originally filed 1/14/02/ d/e # 80 , 87		

2:00 P. M. - MISCELLANEOUS HEARINGS

Via	JESSIE ROYAL-chl3	7-02-00264	Widener/JJ
	Motion of Trustee to Dismiss or Convert filed 8/21, d/e # 19		

Fleenor	DAVID & JULIE FOORE-chl3	7-01-00718	Widener/AF
	Motion of Trustee to Dismiss or Convert filed 8/21, d/e # 39		

Abingdon Calendar - 9/18/02

2:00 P. M. - MISCELLANEOUS HEARINGS

Proctor EUGENE & STELLA YATES-chl3 7-01-01820 Widener/SJ
Motion of Trustee to dismiss or convert filed 7/5, d/e # 36 *contd from 8/7*

Hutchinson DANNY & DEBRA BLEVINS-chl3 7-01-00407 Widener/NS
Motion of Trustee to dismiss or convert filed 8/21; d/e # 21

Timoney PEGGY CALL-chl3 7-99-03535 Widener/SL
Trustee's Motion to convert or dismiss, filed 8/21; d/e # 30

H Brown ROCKY WALLS-chl3 7-02-02689 Widener/AF
CASE DISMISSED 9/5 ON TRUSTEE MOT. HEARD 9/4

Valuation Motion: City National Bank; '99 Dodge Truck filed 8/15, d/e # 19
–MOOT on dismissal of case

Valuation Motion: Vanderbilt Mortgage & Finance '98 Manufactured Housing; filed
8/15, d/e # 20
–MOOT on dismissal of case

Valuation Motion: CLC Consumer Services : '99 Polaris 4-wheel ATV, filed 8/15, [21]
–MOOT on dismissal of case

Note: Conf hearing scheduled 10/1 cancelled

2:00 P. M. - MISCELLANEOUS HEARINGS

Gifford KENNETH & DEBORAH HANCOCK - Ch.7 7-02-00629 Wick/SJ
 Motion #2: Relief – filed 5/7 [d/e #31]; **amended mot filed 7/11 adding ch 7 tr (Wick)*
 First Union Nat'l Bank Delaware (Wood) v. Debtors
 RESPONSE filed by Debtors 5/8 [d/e #34]; respondents certif. Filed 5/14 [#36]
 –contd fr 6/5 & 7/23 & 8/21 ; case converted to ch 7 on 6/21 *;
 –**ORDER (agreed) entered 8/28 granted relief ; cancelled hearing**

Beck ANTAEUS GARY PROJECT-ch7–file #4 7-00-00077Farrell/Hutton
 Motion of Buckshot Processing LLC (Higgs) for entry of order directing
 trustee to execute and deliver deed pursuant to License and Option Agreement or
 direct return of consideration plus cost of Improvements by Buckshot to debtor's
 Preparation Plant and Property, filed 7/3; d/e # 184, 186; Order continuing entered 8/9
 –contd from 7/23 & 8/7

2:30 P M -TRIAL

**reserved couple of hours*

Jessee/
Leonard HOLSTON FURN OF VA -ch11 7-01-01181 JM/
 A/P 7-01-00045: Det. Tax Claim
 Debtor (Lyle, special counsel) v. Tenn. Dept of Revenue (Hantel)